

Notice of Allowability

Application No.

09/935,209

Examiner

Hai L. Nguyen

Applicant(s)

DORMITZER ET AL.

Art Unit

2816

[Signature]

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the appeal brief filed on 8/12/2004.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☒ The drawings filed on 22 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

[Signature]
TIMOTHY P. CALLAHAN
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Argument

1. Applicant's appeal brief filed on 8/12/2004 has been received and entered in the case. Applicant's arguments with respect to the prior art rejections mailed on 04/07/2004 have been fully considered and found persuasive, as such, the prior art rejections have been withdrawn. Therefore the case is found to be in allowance condition for the reasons as set forth below.

REASON FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose or fairly suggest specific structural limitations, as recited in claim 1, such as a phase comparator (120-1 through 120-R in instant Fig. 1) coupled to receive one of the plurality of internal logic clock signals (105); and a sample clock (SMPCLKs) from an associated receiver (150-1 through 150-R), wherein the phase comparator generates a control signal based on a phase comparison between the sample clock and the one of the plurality of internal logic clock signals; and a down converter channel (115-1 through 115-R) coupled to receive each of the plurality of internal logic clock signals and the control signal and to pass data (DATA) in phase with the sample clock using the one of the plurality of internal logic clock signals based on the control signal, and being configured in a clock compensation circuit (102).

The prior art of record fails to disclose or fairly suggest a method having specific steps, as recited in claim 25, such as a step of comparing (206 in instant Fig. 2) the phase of one of the plurality of internal logic clock signals (105 in instant Fig. 1) to the phase of the received sample

Art Unit: 2816

clock (SMPCLKs); when the one of the plurality of internal logic clock signals is in phase with the received sample clock, selecting a data signal (DATA) that is clocked on the rising edge of the one of the plurality of internal logic clock signals (210); when the one of the plurality of internal logic clock signals is out of phase with the received sample clock, selecting the data that is clocked on the falling edge of the one of the plurality of internal logic clock signals (212); and passing the selected data signal to the associated receiver (150-1 through 150-R).

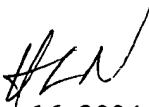
Claims 7, 12, 17, 21, 26, 27, and 30-32 are allowed for similar reasons; note the above discussion with regard to claims 1 and 25.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai L. Nguyen whose telephone number is 571-272-1747 and Right Fax number is 571-273-1747. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The official fax phone number for the organization where this application or proceeding is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1562.

HLN 
October 16, 2004